

City of Middletown Commission on the Arts (MCA) Bylaws

Article I Name

The Commission shall be known as the “City of Middletown Commission on the Arts (MCA)”.

Article II Purpose

The purpose of the MCA shall be to promote and stimulate interest and participation in the arts and to fulfill duties as outlined in the Middletown Code of Ordinance Section 24-2, attached hereto.

Article III Objectives

The objectives of the MCA shall be: to offer programs, technical services and assistance, resources, informational formats (including presentation of a monthly arts calendar) to maintain connections with the state of the arts on all levels and to set new objectives as needs arise.

Article IV Officers

The elected officers of the MCA shall be Chair, Vice Chair and Secretary.

Open elections shall be held at the annual meeting in July for a term of one (1) year, or until their successors are elected.

The term of office shall begin at the end of the election meeting.

The term of office shall be limited to two (2) successive elected terms in any office.

Article V Nominations/Elections/Voting

A Nominating Committee shall present a slate of officers to the MCA at the meeting preceding the Annual Meeting.

Nominations may also be made from the floor at this meeting and the Annual Meeting.

Voting of officers will be done by written ballot. Simple plurality rules will apply.

Article VI Members

The MCA shall consist of eleven (11) members; not more than seven (7) of whom shall be registered members of the same political party: who shall be appointed by the Mayor, with the consent of the Common Council. In addition to the eleven (11) members of the MCA, there shall be two (2) *ad hoc members of the MCA from the Common Council; one (1) from each political party, which ad hoc members shall have the right to vote but shall not be counted in determining a quorum of the MCA.

Members of the MCA shall serve for a term of three years commencing July 1 of the year of appointment. Each vacancy shall be forthwith filled by the Mayor with the consent of the Common Council for the unexpired portion of the term of the member whose place shall become vacant.

The Common Council members shall serve only during their terms of office as Council members, and upon expiration of such terms of office, vacancies shall exist which shall be filled by the Mayor, with the consent of the Common Council. (Middletown Code of Ordinance Section 24-1)

Article VII Meetings

The Annual Meeting shall be held in July.

The MCA shall regularly meet on the fourth Wednesday of each month (except in November and December, when meeting will take place on third Wednesday of each month) or such other day as the Chair may designate at a time and place agreed upon by the majority of MCA members in conformity with required City and State regulations. Six (6) members of the MCA shall constitute a quorum.

Other meetings of the MCA may be held at the call of the Chair or any two members of the MCA and/or upon recommendation of the MCA Coordinator.

Article VIII Attendance

“A member of any board, agency, department or commission or committee (of the City) who shall absent himself therefrom for three consecutive meetings without good cause shown, may upon the recommendation of the Chairman or Director thereof and upon the approval by the appointing authority may be ordered removed therefrom by the Mayor, whereupon the appointing authority shall fill the unexpired term created by such vacancy.” (Per City Charter, Chapter V, Section 3C inclusive)

Article IX Reports

The MCA, through the MCA Coordinator, shall make a semi-annual report to the Mayor and the Common Council.

Article X Committees

Executive Committee: Shall be comprised of the officers of the MCA. The Executive Committee is empowered to complete items on the MCA agenda not covered at the MCA meeting. In handling agenda items outside of MCA meetings, the Executive Committee will consider committee and/or staff recommendations and budgeted expenditures when making decisions. Items outside of Committee and budget, of a routine nature, will also be handled by the Executive Committee. Items of an extraordinary nature, as designated by the Executive Committee, will result in full MCA contact and/or special meeting. Executive Committee decisions will be reported at the earliest MCA meeting.

Nominating Committee: The Nominating Committee shall consist of three members; the members shall be appointed by the Chair with the advice and consent of the MCA at the first regular meeting of the Chair's term of office.

Members of the Nominating Committee shall be eligible for nomination as officers but, if elected, are ineligible to serve on the Nominating committee.

The duties of the Nominating Committee shall be:

- to present a slate of officers at the meeting preceding the Annual Meeting in July;
- to present a list of suggested needed talents and/or names of citizens to serve on the MCA to the Chair for presentation to the Mayor as an advisory consideration ;
- to work in conjunction with staff in over-seeing the on-going orientation of new members to the MCA and to work in conjunction with staff in overseeing the retention of MCA members; and,
- to follow-up absences of members from meetings.

General Committees: The Chair, with the advice and consent of the MCA, may appoint such committees as he/she, from time to time, may deem appropriate.

The Chair of Committees shall be by consent or vote of the committee.

Committee meetings may be called by any Commissioner of the committee and/or as recommended by the MCA Coordinator.

Committee matters will be taken up by the Executive Committee and the MCA Coordinator when committees fail to meet and function in time to meet deadlines.

Reports on committee activities – including summary, evaluation and recommendations – shall be rendered to the full MCA.

Article XI Duties of Officers

Chair: Shall preside at all meetings of the MCA; shall appoint committees as required; shall serve ex officio on all committees; shall report on or request reports on MCA activities at all meetings.

Vice Chair: Shall perform the duties of the Chair in his/her absence, inability to serve or upon a vacancy.

Secretary: Shall keep an accurate record of the proceedings of all meetings of the MCA (as provided by Section 1-21 of the Connecticut General Statutes). Shall make all motions at all meetings available to the public within forty-eight (48) hours by filing them at the MCA's Office. Shall make minutes of said meetings available to the public within one (1) week by filing at the MCA Office and so provide for distribution of minutes to all Commissioners as soon after meetings as possible, but no later than two (2) weeks after said meeting.

Article XII Amendments

These Bylaws may be amended by a two-thirds vote of those present at any regular meeting, provided the proposed amendment has been issued in writing to all MCA members at least one month prior to that meeting.

Article XIII Governing Rules

"Roberts Rules of Orders Newly Revised" shall be the operative rules for MCA meetings in addition to the Bylaws as adopted by the MCA. Neither rules shall be construed as to take precedence over existing State Statutes and/or City Codes.

*Ad hoc: for the purposes of this document, ad hoc is defined as "used for specific or immediate problems or needs" as found in Webster's 9th New Collegiate Dictionary.

Information: Bylaws Background

Founding Commission Resolution	March 6, 1972	Bylaws Review and Adopted Changes:	October 25, 1990
Original Bylaws Adopted	December 1972	Bylaws revised:	July 22, 1993
City Ordinance Founding Commission:	June 1976	Adopted/revised:	October 28, 1993
Bylaws Review and Adopted Changes:	October 9, 1979	Revised	February 22, 2001
Bylaws Review and Adopted Changes:	April 28, 1983	Revised	April 25, 2002
		Revised	October 23, 2003

Attached hereto:

MCA Ordinances/Resolutions

as an Addendum to

the Bylaws

CHAPTER 14, ARTICLE V Commission on the Arts [Adopted 2-8-1978 as Ch. 24, Art. I of the 1978 Code; amended in its entirety 12-2-2002]

§ 14-20. Establishment; membership; appointment; terms of office; officers.

A. There shall be a Commission known as the "Middletown Commission on the Arts (MCA)." The Commission shall consist of eleven members, not more than seven of whom shall be registered members of the same political party, who shall be appointed by the Mayor, with the consent of the Common Council.

B. In addition to the 11 members of the Commission, there shall be two ad hoc members of the Commission from the Common Council, one from each political party, which ad hoc members shall have the right to vote but shall not be counted in determining a quorum of the Commission. The Common Council members shall serve only during their terms of office as Council members; and, upon the expiration of such terms of office, vacancies shall exist which shall be filled by the Mayor with the consent of the Common Council.

C. Members of the Commission shall serve for a term of three years commencing July 1 of the year of appointment. Each vacancy shall be forthwith filled by the Mayor with the consent of the Common Council for the unexpired portion of the term of the member whose place shall become vacant. At its first meeting subsequent to July 1 of each year, the Commission shall elect a Chairman, Vice Chairman and a Secretary.

§ 14-21. Purposes; duties.

The purpose of the Commission shall be to promote, stimulate and encourage interest and participation in the sharing and expression of cultural traditions within the community and in the creative, performing and visual arts among the citizens of and in the City of Middletown. The Commission shall establish such bylaws, rules and regulations as may be necessary to achieve the purposes set out herein. The Commission shall prepare a monthly arts calendar and make a semiannual report to the Mayor and the Common Council.

§ 14-22. Merger of Office of Arts and Culture into Office of the Mayor.

In accordance with Chapter V, Section 1B, and Chapter III, Section 6, of the Charter of the City of Middletown, the Office of Arts and Culture is merged into the Office of the Mayor.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

The Middletown Commission on the Arts, at its meeting of November 18, 2009, agreed to recommend to the Mayor and Common Council that the Kids Arts Activity Standard Rate of \$125.00 [Ordinance 16-09, Article V, Section 14-22.1.B.(1)] and the Flat Rate of \$25.00 [Section 14.22.1.B.(2)(b)] remain the same for Fiscal Year 2010-2011.

Status: APPROVED

by Common Council, City of Middletown

at its meeting held on: DECEMBER 7, 2009

(Attachment: Ordinance 16-09, amended 5/9/2009)

Date:

ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Sec. 14-22.1. Children's arts programs; fees. of Chapter 14 of the Middletown Code of Ordinances be amended to read as follows:

Sec. 14-22.1 Children's arts programs, fees.

A. Children's arts programs shall be available to City residents on a first-come, first-served basis. Nonresidents may participate if there is space available after resident registration.

B. There shall be children's arts activity fees to offset the costs associated with the operating of the children's arts programs. Said fees shall be in accordance with the following schedule as set by the Common Council annually at its regular meeting in December:

(1) Standard rate per program session:

- (a) First child: 100% of standard rate.
- (b) Second child: 60% of standard rate.
- (c) Each additional child: 40% of standard rate.

(2) In cases of special need the standard fees may be reduced or waived as follows:

(a) Households receiving a State of Connecticut Cash Benefit, or which qualify for free school lunches under State of Connecticut guidelines: no cost. Parents or guardians must supply a copy of their CT Department of Social Services Budget Sheet (Food Stamp Financial Eligibility Sheet [FSFI] and/or Cash Assistance Financial Eligibility Sheet [CAFI]) or a copy of the Middletown Public Schools Free or Reduced Price Meal form.

(b) Families receiving food stamps, or which qualify for reduced-rate school lunches under State of Connecticut guidelines: flat rate per household as set by the Common Council at its regular meeting in December.

(c) Reduced rate: families with an income level exceeding the State of Connecticut's reduced lunch rate income guidelines by \$10,000 or less:

- [1] First child: 40% of standard rate.
- [2] Each additional child: 20% of standard rate.

(d) The City will also take into consideration any special or extraordinary financial circumstances affecting an applicant's ability to pay when processing an application submitted under this section. The Middletown Commission on the Arts is authorized to reduce the rate for program participation in situations which it deems appropriate.

(3) Nonresident rate: [Double the standard rate].

(a) **Double the First Child Standard Rate for each child enrolled.**

[] = deletion **boldface type** = addition

Approved by Middletown Commission on the Arts on October 27, 2010

Approved by Ordinance Study Committee on

Status: APPROVED

by Common Council, City of Middletown

at its meeting held on: DECEMBER 6, 2010

RESOLUTION:

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

AMENDED

The Middletown Commission on the Arts, at its meeting of November 18, 2009, agreed to recommend to the Mayor and Common Council that the Kids Arts Activity Standard Rate of \$125.00 [Ordinance 16-09, Article V, Section 14-22.1.B.(1)] and the Flat Rate of \$25.00 [Section 14.22.1.B.(2)(b)] remain the same for Fiscal Year 2010-2011 be accepted and approved.

FINANCIAL IMPACT: None

Approved by the Common Council 12/07/2009 (replaced by Ordinance above)

City of Middletown, CT
Chapter 214: PARKS AND RECREATION AREAS

CHAPTER 214. PARKS AND RECREATION AREAS

§ 214-42. Union Park and Veterans Memorial Green. [Added 7-1-2002]

.A. The City of Middletown recognizes the courage, dedication and sacrifice of those of its residents who have served in the Armed Forces of our country and wishes to reserve certain areas for monuments to honor that commitment. Accordingly, Union Park and Veterans Memorial Green are hereby designated as parks commemorating significant military events.

B. The only monuments which may be placed in Union Park (South Green) or Veterans Memorial Green (Washington Terrace) shall be those honoring and/or commemorating significant military events. As used in this section, "monuments" shall include, but not be limited to, plaques, benches, sculptures or any structure, either natural or artificial, erected for commemorative and/or memorial purposes.

C. The decision as to what monument will be placed on Union Park or Veterans Memorial Green shall be made by the City of Middletown Parks and Recreation Commission upon the advise and recommendation of the City's Memorials Restoration Committee, the Middletown Council of Veterans, the Middletown Commission on the Arts, and the Middletown Design Review and Preservation Board.

D. Any organization, entity, group, or person, using Union Park for other than a City of Middletown sponsored or co-sponsored event will be assessed a user fee of \$50 for each event day.

E. Reservations for use of the park must be made through the Parks and Recreation Department at least one month prior to the event. All users must also have the proper insurance coverage, naming the City of Middletown as additional insured as defined by the City of Middletown's Risk Manager.

Original Date: 7/1/2002

Amended: 2/1/2010 (Ordinance #29-10)

ARTICLE XIV Commission on the Arts Program and Activity Fund [Adopted 5-5-2003]

§ 47-33. Purpose.

There shall be a fund created to be known as the "Middletown Commission on the Arts Program and Activity Fund" to incorporate certain income and expenses associated with the Commission on the Arts.

§ 47-34. Administration.

The moneys collected will be held in a checking account with authorized signatures by the Middletown Commission on the Arts Chairperson or Acting Chairperson and the Mayor. This fund shall be subject to audit in the same manner as other City funds by MCA Coordinator and Chair. The MCA Coordinator shall file a quarterly income, expense and cash balance report with the Mayor, the Director of Finance, the Middletown Commission on the Arts and the Finance and Government Operations Commission.

Amended: 11/6/2006

**All ordinances found on web site www.cityofmiddletown.com under
City Charter and Ordinances.**

**There is a new Chapter for Middletown Commission on the Arts
on the Web.**

For MCA, look under Chapter 14, Article V.